

AMENDED IN ASSEMBLY APRIL 7, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1522**

**Introduced by Assembly Member Thomson**

February 28, 1997

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An act to amend Sections 13553 and 13554 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1522, as amended, Thomson. Recycled water.

Existing law declares that, under certain circumstances, the use of potable domestic water for toilet and urinal flushing in nonresidential structures and other specified structures is a waste or an unreasonable use of water and, with certain exceptions, allows a public agency to require the use of recycled water for those purposes in those structures if certain requirements are met.

This bill would, instead, make those provisions apply to structures ~~in which unauthorized modifications to the plumbing system may be reasonably controlled~~ *that are commercial, retail, and office buildings, theaters, auditoriums, schools, hotels, apartments, barracks, dormitories, jails, prisons, reformatories, and other structures as determined by State Department of Health Services.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 13553 of the Water Code is amended to read:

13553. (a) The Legislature hereby finds and declares that the use of potable domestic water for toilet and urinal flushing in structures is a waste or an unreasonable use of water within the meaning of Section 2 of Article X of the California Constitution if recycled water, for these uses, is available to the user and meets the requirements set forth in Section 13550, as determined by the state board after notice and a hearing.

(b) The state board may require a public agency or person subject to this section to furnish whatever information may be relevant to making the determination required in subdivision (a).

(c) For the purposes of this section and Section 13554, “structure” or “structures” means ~~structures in which unauthorized modifications to the plumbing systems may be reasonably controlled, including commercial, retail, commercial, retail, and office buildings, theaters, auditoriums, schools, hotels, apartments, barracks, dormitories, jails, prisons, and reformatories, and other structures as determined by the State Department of Health Services.~~

(d) *Nothing in this section or Section 13554 applies to a pilot program adopted pursuant to Section 13553.1.*

SEC. 2. Section 13554 of the Water Code is amended to read:

13554. (a) Any public agency, including a state agency, city, county, city and county, district, or any other political subdivision of the state, may require the use of recycled water for toilet and urinal flushing in structures , except a mental hospital or other facility operated by a public agency for the treatment of persons with mental disorders, if all of the following requirements are met:

(1) Recycled water, for these uses, is available to the user and meets the requirements set forth in Section 13550, as determined by the state board after notice and a hearing.

1 (2) The use of recycled water does not cause any loss  
2 or diminution of any existing water right.

3 (3) The public agency has prepared an engineering  
4 report pursuant to Section 60323 of Title 22 of the  
5 California Code of Regulations that includes plumbing  
6 design, cross-connection control, and monitoring  
7 requirements for the use site, which are in compliance  
8 with criteria established pursuant to Section 13521.

9 (b) This section applies only to either of the following:

10 (1) New structures for which the building permit is  
11 issued on or after March 15, 1992, or, if a building permit  
12 is not required, new structures for which construction  
13 begins on or after March 15, 1992.

14 (2) Any construction pursuant to subdivision (a) for  
15 which the State Department of Health Services has, prior  
16 to January 1, 1992, approved the use of recycled water.

17 (c) Division 13 (commencing with Section 21000) of  
18 the Public Resources Code does not apply to any project  
19 which only involves the repiping, redesign, or use of  
20 recycled water by a structure necessary to comply with  
21 a requirement issued by a public agency under  
22 subdivision (a). This exemption does not apply to any  
23 project to develop recycled water, to construct  
24 conveyance facilities for recycled water, or any other  
25 project not specified in this subdivision.

